

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL S. JOHNSON, DONNA DYMKOWSKI,
PATRICIA LONG-CORREA, ANTONIO
SAMUEL, VINCENT HALL, ANGELETTE
WATERS, Individually, and on behalf of the Class,

07 CIV 8473 (GBD)

Plaintiffs,
-against-

NEXTEL COMMUNICATIONS, INC., a Delaware
Corporation, LEEDS, MORELLI & BROWN, P.C.,
LENARD LEEDS, STEVEN A. MORELLI,
JEFFREY K. BROWN, JAMES VAGNINI,
FREDERIC DAVID OSTROVE, BRYAN
MAZOLLA, SUSAN FITZGERALD, and JOHN
and JANE DOES 1-10, (a fictitious designation for
presently unknown Defendants),

**NOTICE OF MOTION
TO ADMIT COUNSEL
PRO HAC VICE**

ECF CASE

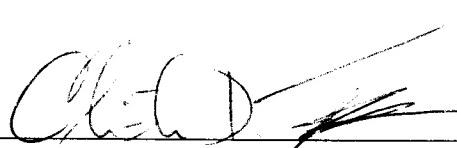
Defendants.

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PLEASE TAKE NOTICE that, pursuant to Local Rule 1.3 and the Declarations of
Christopher D. Watkins, Esq. and Kenneth S. Thyne, Esq., and on a date and time to be
determined by the Court, the undersigned will move this Court on behalf of plaintiffs for an order
admitting Kenneth S. Thyne, Esq. *pro hac vice* as counsel for plaintiffs in this matter.

Dated: December 28, 2007
Goshen, New York

By _____


Christopher D. Watkins (CW 2240)
SUSSMAN & WATKINS
40 Park Place – P.O. Box 1005
Goshen, New York 10924
(845) 294-3991
Attorneys for Plaintiffs

TO: Shari Clare Lewis, Esq.
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926 Rexcorp Plaza
Uniondale, NY 11556

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New York, NY 10036

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STERNS & WEINROTH
P.O. Box 1400
Trenton, NJ 08607-1298

Kenneth S. Thyne, Esq.
ROPER & TWARDOWSKY
77 Jefferson Place
Totowa, New Jersey 07512-2614

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**DECLARATION OF
CHRISTOPHER D. WATKINS,
ESQ., IN SUPPORT OF *PRO
HAC VICE* ADMISSION OF
COUNSEL**

ECF CASE

Defendants.

-----X

I, CHRISTOPHER D. WATKINS, Esq., pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney with the law firm of Sussman & Watkins, attorneys for plaintiffs in this case. I am admitted to practice and in good standing before this Court. I submit this affirmation in support of an application to admit Kenneth S. Thyne to appear and participate *pro hac vice* on behalf of plaintiffs in this matter
2. I make the following statements based on my personal knowledge unless otherwise stated.
3. Sussman & Watkins is counsel of record on behalf of plaintiffs. Pursuant to Local Rule 1.3(c), Sussman & Watkins agrees to be responsible for the conduct of the case and of counsel for plaintiffs herein.

4. Plaintiffs have requested that Kenneth S. Thyne, Esq., of the firm Roper & Twardowsky, LLC, personally represent them in this matter.

5. I have known Mr. Thyne for approximately seven years and know him to be a fine lawyer who has particularized experience and knowledge in litigating the issues presented by this case. In addition, he has developed a long-standing relationship with plaintiffs, as his firm filed this lawsuit and has principally represented plaintiffs prior to transfer of venue from New Jersey to this Court. Mr. Thyne's qualifications are set forth in his Declaration, which is submitted herewith.

6. Based on the foregoing and the accompanying Thyne Declaration, we respectfully request that this Court admit Kenneth S. Thyne, Esq., *pro hac vice*, for the purposes of appearing, participating and representing plaintiffs in this matter.

I declare under penalties of perjury that the foregoing is true and accurate.

Dated: December 28, 2007
Goshen, New York

By 
Christopher D. Watkins (CW 2240)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ECF CASE

Defendants.

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**DECLARATION OF KENNETH S. THYNE, ESQ., IN SUPPORT
OF MOTION TO ADMIT COUNSEL PRO HAC VICE**

I, KENNETH S. THYNE, ESQ., pursuant to 28 U.S.C. § 1746, hereby declare the following:

1. I am an attorney-at-law admitted to practice in the State of New Jersey, and I am an associate in the law firm of Roper & Twardowsky, LLC, 77 Jefferson Place, Totowa, New Jersey 07512; Tel.: 973-790-4441; Fax: 973-790-1016; e-mail: ken.thyne@njlegalmalpractice.com.

Before venue in this matter was transferred to this Court, I was primary counsel in this matter for all of the Plaintiffs, Michael S. Johnson, Donna Dymkowski, Patricia Long-Correa, Antonio

Samuel, Vincent Hall and Angelette Waters.

2. I have been admitted to practice in the State of New Jersey since 1990. I have also been admitted to practice before the United States District Court for the District of New Jersey since 1990. I have not been denied admission to, nor have I been subject to formal discipline by any Court. I further certify that I am currently in good standing with the Bar of the State of New Jersey. Attached hereto as Exhibit "A" is a Certificate of Good Standing from the State of New Jersey.

3. This Declaration is submitted in support of my application for *pro hac vice* admission before this Court.

4. As stated above, my firm and I currently represent Plaintiffs, and I have, therefore, developed expertise in litigating the precise issues arising from and related to this case and have a long-standing relationship with Plaintiffs.

5. Sussman & Watkins is currently counsel of record in this matter on behalf of Plaintiffs. Pursuant to Local Rule 1.3(c), Sussman & Watkins agrees to continue to serve as counsel and to comply with the requirements as set forth in the Rules of Court.

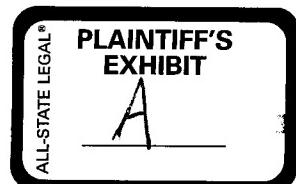
6. I respectfully submit that there is good cause for my admission *pro hac vice* to represent Plaintiffs.

I declare under penalties of perjury that the foregoing is true and accurate.



Kenneth S. Thyne, Esq.
ken.thyne@njlegalmalpractice.com

Dated: 12/27/07



Supreme Court of New Jersey



Certificate of Good Standing

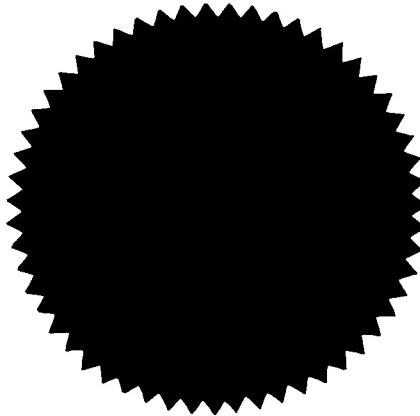
This is to certify that **KENNETH S THYNE**

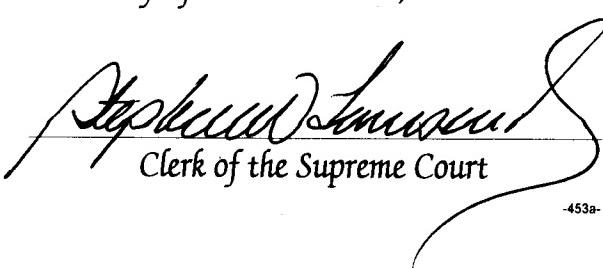
(No. **025951990**) was constituted and appointed an Attorney at Law of New Jersey on **December 20, 1990** and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.

Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.

In testimony whereof, I have hereunto set my hand and affixed the Seal of the Supreme Court, at Trenton, this 26TH day of December , 20 07




Stephen J. Thorne
Clerk of the Supreme Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Defendants.

**PROPOSED ORDER
GRANTING *PRO HAC VICE*
ADMISSION OF KENNETH
S. THYNE, ESQ. PURSUANT
TO LOCAL RULE 1.3(C)**

ECF CASE

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THIS MATTER, having been brought before the Court upon the motion of Sussman & Watkins, attorneys for plaintiffs, for entry of an order permitting the *pro hac vice* admission of Kenneth S. Thyne, Esq., and this Court having considered the Declaration of Kenneth S. Thyne, Esq. and the Declaration of Christopher D. Watkins, Esq., his sponsoring attorney, a member in good standing of the Bar of the United States District Court for the Southern District of New York, and for good cause having been shown;

IT IS on this _____ day of _____, 2008,

ORDERED that Kenneth S. Thyne, Esq., is hereby admitted to practice *pro hac vice* as counsel for plaintiffs in the above matter in the United States District Court for the Southern District of New York; and it is further

ORDERED that Kenneth S. Thyne, Esq. will abide by all Local Rules of this Court, including the rules governing the discipline of attorneys; and it is further

ORDERED that if this action is assigned to the Electronic Case Filing (ECF) system, Kenneth S. Thyne, Esq. shall immediately apply for a password at nysd.uscourts.gov and that Kenneth S. Thyne, Esq. shall forward to this Court any and all *pro hac vice* admission fees; and it is further

ORDERED that a true copy of this Order shall be served upon all counsel of record within seven (7) days from receipt hereof.

Dated:

United States District Judge
HON. GEORGE B. DANIELS

CERTIFICATE OF SERVICE

I, Christopher D. Watkins, Esq, hereby affirm that on January 4, 2008, I caused to be served by first class U.S. mail, true and correct copies of the enclosed Pro Hac Vice Motion papers on the following:

Shari Clare Lewis, Esq.
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Jason S. Feinstein, Esq.
STERNS & WEINROTH
P.O. Box 1400
Trenton, NJ 08607-1298

Dated: January 2, 2008
Goshen, NY



Christopher D. Watkins, Esq. (CW 2240)